



# 3

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/770,875	01/26/2001	Witold Cieplak	2026-4253US7

CONFIRMATION NO. 6669

## FORMALITIES LETTER



\*OC000000005911496\*

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154

Date Mailed: 03/28/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

---

*A copy of this notice **MUST** be returned with the reply.*

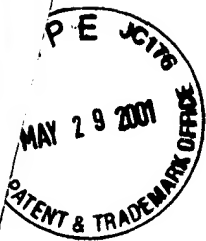
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/31/2001 VTRUONG1 00000011 09770875

01 FC:101  
02 FC:105710.00 OP  
130.00 OP



#3

PATENT  
Docket No. 2026-4253US7IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Witold Cieplak                      Group Art Unit: To Be Assigned  
Serial No. : 09/770,875                      Examiner: To Be Assigned  
Filed : January 26, 2001  
For : PERTUSSIN TOXIN GENE: CLONING AND EXPRESSION

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Commissioner for Patents  
Washington, D.C. 20231  
Attn: BOX MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application, dated March 28, 2001, submitted herewith is the basic filing fee (\$710.00) and late filing fee (\$130.00) for the total amount of \$840.00. Also enclosed is a copy of the Notice to File Missing Parts.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500. Order No. 2026-4253US7. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN &amp; FINNEGAN, L.L.P.

Date: May 25, 2001

By: Dorothy R. Auth  
Dorothy R. Auth  
Registration No. 36,434

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800  
(212) 751-6849 Telecopier



\$ sector

PATENT  
Docket No. 2026-4253US7

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Cieplak, Witold Group Art Unit: To Be Assigned

Serial No. : 09/770,875 Examiner: To Be Assigned

Filed : January 26, 2001

For : PERTUSSIN TOXIN GENE: CLONING AND EXPRESSION

CERTIFICATE OF MAILING (37 C.F.R. 1.8(a))

COMMISSIONER FOR PATENTS  
Attn: BOX MISSING PARTS  
Washington, D.C. 20231

Sir:

I hereby certify that the attached 1) Response to Notice to File Missing Parts of Nonprovisional Application; 2) Check in the amount of \$840.00 to cover filing fee and late filing fee; 3) Copy of Notice to File Missing Parts, and 4) Return postcard (along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, Attn: BOX MISSING PARTS, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Date: May 25, 2001

By: Alicia P. Padro  
Alicia P. Padro

**Correspondence Address:**

**MORGAN & FINNEGAN, L.L.P.**  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800  
(212) 751-6849 Telecopier